



News Release

Washington Department of Ecology news
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Ecology adopts new rules enhancing protection from major oil spills

OLYMPIA - The Washington Department of Ecology (Ecology) has formally adopted changes to two state rules that will enhance protection of the state's environment, economy and cultural resources from the impacts of a potential major spill.

Ecology has calculated that a major spill could cost Washington's economy \$10.8 billion and adversely affect 165,000 jobs due to disruptions to maritime shipping and public port activities, recreation and tourism, and injuries to state fish, shellfish and wildlife.

The changes to the state oil spill contingency plan and natural resource damage assessment rules were required under a 2011 law passed by state lawmakers and approved by Gov. Chris Gregoire. The law applies important lessons learned from the catastrophic 2010 crude oil spill in the Gulf of Mexico.

The spill contingency plan rule sets requirements for oil spill readiness planning for oil tankers and tank vessels, commercial cargo and fish-processing vessels, passenger ships, refineries, liquid fuel pipelines and large oil-handling facilities operating in Washington.

Ecology reviews, approves and continuously tests 30 separate oil spill contingency plans covering these operations, using lessons learned through spill readiness exercises and actual responses to spills.

In the plans, regulated oil-handling and vessel shipping companies outline the response actions they will take to quickly minimize environmental and economic impacts if they have a spill.

Under the new updated contingency plan rule, oil and cargo shipping firms operating in Puget Sound and Columbia River will have to invest more in response equipment and training personnel - particularly aerial surveillance - to boost their ability to quickly clean up oil spilled on the water.

The new rule requires companies have the capability to conduct continuous cleanup operations at night and during fog, rain and other inclement weather. It also ensures local resources such as commercial fishing vessels are able to effectively participate in an oil spill response.

Ecology also has changed the mathematical formulas in the state natural resource damage assessment rule.

The formulas are used to calculate the dollar value for oil spill-related injury to state environmental, recreational and cultural resources. These resources include salmon and wildlife habitat, shellfish, public parks and beaches, and lakes, streams, rivers, estuaries and wetlands.

The updated rule aligns requirements under the 2011 law that increased the state compensation range for calculating environmental damages from oil spills involving 1,000 gallons or more. The previous value was from between \$1 to \$100 per gallon of oil spilled. Now the value for larger spills is between \$3 and \$300 per gallon spilled.

The exact value is set based on the specific type of oil spilled as well as the species and habitat impacted by the spill.

Compensation for natural resource injury is separate from penalties for oil spills and from reimbursing the state for its response and cleanup costs. Monetary damages are deposited into a special state account, which is used to pay for habitat restoration and enhancement activities in areas affected by spills.

Ecology Spills Program Manager Dale Jensen said: "Our new rules apply the lessons learned from responding to the worst oil spill in U.S. history by making one of the nation's most robust spill readiness and response systems even better. These rules ensure that the companies presenting the greatest risk to our waters invest in the best achievable protection to mount a rapid, aggressive and well coordinated response if they spill oil. Washington deserves nothing less."

The new natural resource damage assessment rule goes into effect Jan. 14, 2013, while the updated oil spill contingency plan rule will be phased in during the next four years.

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Oil spill contingency plan rule:

http://www.ecy.wa.gov/programs/spills/rules/CPlan_Rule_Implementation/Rule_Implementation.html

Natural resource damage assessment rule:

<http://www.ecy.wa.gov/programs/spills/rules/NRDArule/Assessment.html>

Ecology Spills Program: <http://www.ecy.wa.gov/programs/spills/spills.html>

Ecology homepage: <http://www.ecy.wa.gov/>

Ecology's social media: <http://www.ecy.wa.gov/about/newmedia.html>